



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

February 15, 2017

Mr. Randy Breault, P.E.
Director of Public Works
City of Brisbane
50 Park Place
Brisbane, CA 94005-1310

CITATION NO. 02_17_17C_006
HALOACETIC ACIDS (FIVE) (HAA5) MAXIMUM CONTAMINANT LEVEL EXCEEDANCE FOR
THE FIRST THROUGH FOURTH QUARTERS OF 2016
GUADALUPE VALLEY MUNICIPAL IMPROVEMENT DISTRICT, WATER SYSTEM NO. 4110005

Enclosed is a Citation issued to the Guadalupe Valley Municipal Improvement District (hereinafter "GVMID") public water system.

If you have any questions regarding this matter, please contact Jose P. Lozano IV of my staff at (510) 620-3459 or me at (510) 620-3453.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Lacy".

Eric Lacy, P.E.
District Engineer
Santa Clara District
Division of Drinking Water
State Water Resources Control Board

Enclosures

Certified Mail No. 7014 3490 0001 7031 3858

cc: San Mateo County Environmental Health Department (e-mailed to Greg Smith; w/ encl.)

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

**Name of Public Water System: Guadalupe Valley Municipal
Improvement District**

Water System No: 4110005

Attention: Mr. Randy Breault, P.E., Director of Public Works
City of Brisbane
50 Park Place
Brisbane, CA 94005-1310

Issued: February 15, 2017

CITATION FOR NONCOMPLIANCE
HALOACETIC ACIDS (FIVE) (HAA5) MAXIMUM CONTAMINANT LEVEL
EXCEEDANCE
CALIFORNIA CODE OF REGULATIONS, SECTION 64533(a)
FIRST THROUGH FOURTH QUARTERS OF 2016

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Board") to issue a citation to a public water system when the State Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"),

1 (CHSC, Division 104, Part 12, Chapter 4, commencing with Section
2 116270), or any regulation, standard, permit, or order issued or adopted
3 thereunder.

4 The State Board, acting by and through its Division of Drinking Water
5 (hereinafter "Division") and the Deputy Director for the Division, hereby
6 issues this citation pursuant to Section 116650 of the CHSC to the
7 Guadalupe Valley Municipal Improvement District (hereinafter "GVMID") for
8 violation of Section 64533(a).

9
10 A copy of the applicable statutes and regulations are included in Appendix 1,
11 which is attached hereto and incorporated by reference.

12 13 **STATEMENT OF FACTS**

14 GVMID is classified as a community water system water system with a
15 population of 1384, serving 740 connections. GVMID's potable water supply
16 consists of chloraminated water supplied through two turnouts off the San
17 Francisco Public Utilities Commission's (SFPUC) Crystal Springs #1 and #2
18 Pipelines. The system is composed of three pressure zones.

19
20 In accordance with CCR, Title 22, Section 64534.2 (a), GVMID, based on its
21 population and the delivery of treated surface water, is required to collect
22 one sample. The sample is collected at Site 1 (aka North Bayshore
23 Boulevard (Primary Station Code (PSC) No. 4110005-900), on a quarterly
24 basis for Total Trihalomethanes (TTHMs) and Haloacetic Acids (Five)
25 (HAA5) in accordance with the Division's letter dated March 1, 2012
26 regarding GVMID's D/DBPR monitoring requirements. The results of
27 GVMID's HAA5 sampling for the last four quarters are as follows:

Quarter	HAA5 Concentration [mg/L]	HAA5 LRAA [mg/L]
2016, First Quarter	0.066	0.039
2016, Second Quarter	0.094	0.055
2016, Third Quarter	0.046	0.059
2016, Fourth Quarter	0.039	0.061

The LRAA for HAA5 at the North Bayshore Boulevard sampling location calculated in the fourth quarter of 2016 is 0.061 mg/L, which exceeds the Maximum Contaminant Level (MCL) of 0.060 mg/L.

DETERMINATION

The Division has determined that GVMID failed to comply with the failed to comply with CCR, Title 22, Section 64533 (a). Specifically, GVMID failed to comply with the MCL for HAA5 for the first through fourth quarters of 2016 at the North Bayshore Boulevard sample site sample site.

DIRECTIVES

GVMID is hereby directed to take the following actions:

1. Forthwith, cease and desist from failing to comply with the MCL for HAA5.
2. Conduct public notification for the HAA5 MCL violation in conformance with CCR, Title 22, Section 64463.4 within thirty (30)

1 days upon receipt of this citation. The notification shall be completed
2 in accordance with each of the following methods:

3
4 a. Mail or direct delivery to each customer receiving a bill
5 including those that provide their drinking water to others (e.g.,
6 schools or school systems, apartment building owners, or
7 large private employers), and other service connections to
8 which water is delivered by the water system; and

9 b. Use of one or more of the following methods to reach persons
10 not likely to be reached by a mailing or direct delivery (renters,
11 university students, nursing home patients, prison inmates,
12 etc.):

13 1. Publication in a local newspaper;

14 2. Posting in conspicuous public places served by the
15 water system, or on the Internet; or

16 3. Delivery to community organizations.

17 A sample copy of public notification for your use in notifying the public
18 is enclosed for your reference and use (Appendix 2). Division
19 approval of the proposed notice is required prior to performing
20 notification.

21 3. Complete Appendix 3: Compliance Certification Form. Submit it
22 together with a copy of the public notification to the Division within ten
23 days from the date of the public notification.

24 4. Within thirty days of receipt of this citation, produce and provide a
25 corrective action plan (CAP) to the Division that describes how
26 GVMID will return to compliance with the HAA5 maximum

1 contaminant level. The CAP shall include all steps that will be
2 followed, with deadlines for completion, leading up to full compliance
3 with the disinfection byproducts standard.

4
5 All submittals required by this Citation shall be electronically submitted to the
6 Division at the following address. The subject line for all electronic
7 submittals corresponding to this citation shall include the following
8 information: Water System name and number, citation number and title of
9 the document being submitted.

10
11 Eric Lacy, P. E.

12 District Engineer, Santa Clara District

13 Division of Drinking Water

14 State Water Resources Control Board

15 Eric.Lacy@waterboards.ca.gov

16 Dwpdist17@waterboards.ca.gov

17
18 The State Board reserves the right to make such modifications to this
19 Citation as it may deem necessary to protect public health and safety. Such
20 modifications may be issued as amendments to this Citation and shall be
21 effective upon issuance.

22
23 Nothing in this Citation relieves GVMID of its obligation to meet the
24 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter
25 4, commencing with Section 116270), or any regulation, standard, permit or
26 order issued or adopted thereunder.

PARTIES BOUND

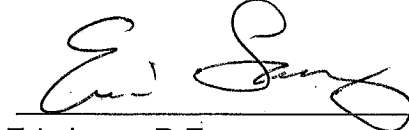
This Citation shall apply to and be binding upon GVMID, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and GVMID shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this Citation.



Eric Lacy, P.E.
District Engineer, Santa Clara District
Division of Drinking Water
State Water Resources Control Board

February 15, 2017
Date

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Appendices (3):

1. Applicable Statutes and Regulations
2. Notification Template
3. Compliance Certification Form

Certified Mail No. 7014 3490 0001 7031 3858

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO. 02_17_17C_006

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271 states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116555 states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (1) Complies with primary and secondary drinking water standards.
- (2) Will not be subject to backflow under normal operating conditions.
- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116650 states in relevant part:

(a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

California Code of Regulations, Title 22 (CCR):

§64533. Maximum Contaminant Levels for Disinfection Byproducts.

(a) Using the monitoring and calculation methods specified in sections 64534, 64534.2, 64535, and 64535.2, the primary MCLs for the disinfection byproducts shown in table 64533-A shall not be exceeded in drinking water supplied to the public.

Table 64533-A
Maximum Contaminant Levels and Detection Limits for Purposes of Reporting
Disinfection Byproducts

Disinfection Byproduct	Maximum Contaminant Level (mg/L)	Detection Limit for Purposes of Reporting (mg/L)
Total trihalomethanes (TTHM)	0.080	
Bromodichloromethane		0.0010
Bromoform		0.0010
Chloroform		0.0010
Dibromochloromethane		0.0010
Haloacetic acids (five) (HAA5)	0.060	
Monochloroacetic Acid		0.0020
Dichloroacetic Acid		0.0010
Trichloroacetic Acid		0.0010
Monobromoacetic Acid		0.0010
Dibromoacetic Acid		0.0010
Bromate	0.010	0.0050 0.0010 ¹
Chlorite	1.0	0.020

¹ For analysis performed using EPA Method 317.0 Revision 2.0, 321.8, or 326.0

§64534.2. Disinfection Byproducts Monitoring.

(d) By the applicable date specified in section 64530(d), and in lieu of TTHM and HAA5 monitoring in subsection (a):

(1) Community and nontransient noncommunity water systems shall monitor for TTHM and HAA5 at the frequencies and location totals indicated in table 64534.2-C and in accordance with the monitoring plan developed pursuant to section 64534.8;

Table 64534.2-C
Routine Monitoring Frequency for TTHM and HAA5

<i>Source water type</i>	<i>Persons served</i>	<i>Minimum monitoring frequency¹</i>	<i>Monitoring period²</i>
Systems using approved surface water	≥5,000,000	20 dual sample sets	per quarter
	1,000,000 – 4,999,999	16 dual sample sets	per quarter
	250,000 – 999,999	12 dual sample sets	per quarter
	50,000 – 249,999	8 dual sample sets	per quarter
	10,000 – 49,999	4 dual sample sets	per quarter
	3,301 – 9,999	2 dual sample sets	per quarter
	500 – 3,300	1 TTHM and 1 HAA5 sample: one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement	per quarter
	<500	1 TTHM and 1 HAA5 sample: one at the location with the highest TTHM measurement, one at the location with the highest HAA5 measurement ³	per year

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Haloacetic Acid (Five) (HAA5) MCL Exceedance at the Guadalupe Valley Municipal Improvement District

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did (are doing) to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results from October to December 2016 show that our system exceeds the standard, or maximum contaminant level (MCL) for Haloacetic Acid (Five) (HAA5) for the first through the fourth quarters of 2016. The standard for HAA5 is 0.060 milligrams/liter (mg/L). It is determined by calculating the running annual average (RAA) of quarterly averages covering any consecutive four-quarter period. The level of HAA5 averaged at our system's designated location for the first through the fourth quarters of 2016 was 0.061 mg/L.

What should I do?

- There is nothing you need to do. You do not need to boil your water or take other corrective actions. If a situation arises where the water is no longer safe to drink, you will be notified within 24 hours.
- If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water.

What does this mean?

This is not an emergency. If it had been an emergency, you would have been notified within 24 hours.

HAA5 are five haloacetic acid compounds which form when disinfectants react with natural organic matter in the water.

People who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.

What is being done?

[Describe corrective action.] We anticipate resolving the problem within [estimated time frame] (or the problem was resolved on [give date]).

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by the Guadalupe Valley Municipal Improvement District.

State Water System ID#: 4110005

Date distributed: _____.

APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number: 02_17_17C_006

Name of Water System: Guadalupe Valley Municipal District

System Number: 4110005

Certification

I certify that the users of the water supplied by this water system were notified of the Haloacetic Acids (Five) (HAA5) Maximum Contaminant Level (MCL exceedance of California Code of Regulations, Title 22, Section 64533(a) for the first through the fourth quarters of 2016 and the required actions listed below were completed.

Required Action	Date Completed
<i>Conduct Public Notification – (Attach copy of the notice(s) used.)</i>	
<i>Submit Corrective Action Plan.</i>	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE BOARD, DIVISION OF DRINKING WATER. A COPY OF THE DELIVERED OR MAILED NOTICE MUST BE ATTACHED TO THIS FORM.

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.